

January 21, 2005

Mike Leanon,  
California Integrated Waste Management Board  
1001 I Street  
Sacramento, CA 95814

**RE: Comprehensive Film Plastic Diversion and Management Action Plan and Plastic Trash Bag Report**

Dear Mr. Leanon,

Thank you for the opportunity to comment on the Comprehensive Film Plastic Diversion and Management Action Plan and Plastic Trash Bag Program Report to the Legislature. CAW supports your efforts to widen the scope of the Plastic Trash Bag Program to include the broader spectrum of film plastics.

We are generally in support of this Report to the Legislature, and feel that it represents significant progress towards a successful plastic film policy for California. Specifically, we support the main concept outlined in the report, which is to provide the film plastic industry (ies) with diversion requirements and other recycling and education goals, and allow them to find the most efficient way to achieve those goals. Only if the industry fails to achieve the agreed upon targets would the imposition of a fee be imposed.

While we support the Board's efforts and fundamental proposal outlined in the report, we do have some concerns with the report:

- **Suspension of the Plastic Trash Bag Law**

Page 4 of the Report recommends suspending the Plastic Trash Bag Law. We oppose this recommendation. The Plastic Trash Bag Law, despite its flaws, is the main existing law dealing with plastic film. We think it is premature to recommend suspension of this law. We would support a recommendation to provide the Board with the authority to suspend the Plastic Trash Bag Law once the Comprehensive Film Plastic Management Program is in place.

- **"Biodegradable Plastics"**

The Report should not use the term "biodegradable plastic" in conjunction with the ASTM 6400 Standard Specification. This specification is specifically limited to plastics that meet certain composting requirements. ASTM has not developed or recognized a standard specification for "biodegradable" plastics.

In addition, we disagree with the Board's finding that "biodegradable plastic film products meet the objectives of a comprehensive plastics management program" and should be exempted from the proposed program. It is unclear exactly what "biodegradable plastic" products are, and how they react in different environments. Further, a "biodegradable" or compostable product only offers benefits to the environment if it is diverted away from the landfill and actually composted. We would support exempting compostable plastic products to the extent that they are actually diverted and composted.

The Report to the Legislature represents a significant achievement for the Board in an area that has offered persistent challenge. We look forward to working with you on the implementation of the Comprehensive Film Plastic Diversion and Management Action Plan.

Sincerely,

Scott Smithline  
Policy Analyst  
Californians Against Waste